

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:10-CR-00196-F-1

UNITED STATES OF AMERICA)
v.)
DWIGHT SHERROD TAYLOR,)
Defendant.)

This matter is before the court on Dwight Sherrod Taylor's January 19, 2016 *pro se* motion [DE-125]. In his motion, Taylor argues that in light of *Johnson v. United States*, 135 S. Ct. 2551 (2015), he is no longer an armed career criminal. Specifically, Taylor contends that his common law robberies are no longer violent felonies.

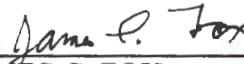
Taylor is attacking the validity of his sentence; thus, the appropriate avenue to bring this challenge is by way of a § 2255 motion.¹ To the extent that Taylor seeks to file a § 2255 motion, he must file it on the appropriate form. The Clerk of Court hereby is DIRECTED to send a copy of the appropriate § 2255 form to Taylor. If Taylor elects to pursue a § 2255 motion, he shall have twenty-eight days within which to file his motion on the appropriate § 2255 form provided by the Clerk. Taylor should send the original of the § 2255 form to:

Clerk of Court
United States District Court, E.D.N.C.
ATTN: Prisoner Litigation Division
P.O. Box 25670
Raleigh, North Carolina 27611

¹ Title 28 Section 2255 states four grounds upon which such relief may be claimed: (1) that the sentence was imposed in violation of the Constitution or laws of the United States; (2) that the court was without jurisdiction to impose such sentence; (3) that the sentence was in excess of the maximum authorized by law; and (4) that the sentence is otherwise subject to collateral attack. 28 U.S.C. § 2255(a).

SO ORDERED.

This 25 day of February 2016.



JAMES C. FOX
SENIOR UNITED STATES DISTRICT JUDGE